

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket: P4380

In re the Application of:

RONALD G. HAAGENSTAD

Serial No.: **Filed Herewith**

Filed: **Herewith**

For: **TIERED TRENCHING BACKHOE SYSTEM**

**VERIFIED STATEMENT (DECLARATION) OFFERED
TO SURRENDER AND RETURN THE ORIGINAL PATENT**

Assistant Commissioner of Patents

and Trademarks

Washington, D.C. 20231

Dear Sir:

As the inventor and owner of U.S. Patent 5,682,840, I hereby declare that I offer to surrender and return the original patent to the U.S. Patent and Trademark Office as part of the attached reissue application.

I hereby declare that all Statements made herein of my own knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,


RONALD G. HAAGENSTAD

09-08-00

DWM:sfm

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTORDocket Number (Optional)
P4380

Applicant or Patentee: Ronald G. Haagenstad

* > Application or Patent No.: Filed Herewith

Filed or Issued: Herewith

Title: Tiered Trenching Backhoe System

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

No such person, concern, or organization exists.
 Each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Ronald G. Haagenstad

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Signature of inventor

Ronald G. Haagenstad

Date Sept 8 - 2000

September 8, 2000

Signature of inventor

Date

Signature of inventor

Date

SUPPLEMENTAL DECLARATION FOR REISSUE APPLICATION

Docket No.: P4380

As the below named inventor I hereby declare that:

Both my residence and post office addresses are as stated below, and I am a citizen of the United States of America;

I verily believe that I am the original, first, and sole inventor of the invention entitled: **TIERED TRENCHING BACKHOE SYSTEM**, which is described and claimed in the specification filed as a reissue application herewith;

I have reviewed and understand the contents of the specification filed as a reissue application herewith, including the claims, and the now preliminarily amended claims;

I do not know and do not believe that the invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof;

I acknowledge my duty to disclose, and I have disclosed, all information known to me to be material to the patentability of my invention as defined in 37 CFR §1.56;

Said invention has been patented and made the subject matter of **United States Patent 5,802,748** on an application filed in my name by me;

I hereby declare that such **United States Patent 5,802,748** is inoperative or invalid by reason of my claiming more or less than I had a right to claim in a patent, and more specifically, by claiming certain elements, including those set forth in "ATTACHMENT A" (incorporated herein by reference as though set forth in its entirety), in more specific detail than was necessary. These errors arose due to my attorney failing to appreciate the full scope of the invention. These errors were discovered by my present attorney. These errors arose without deceptive intention.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

My full name, current residence and post office address are:

**RONALD G. HAAGENSTAD
119 Summer Heaven Drive.
Blackhawk, Colorado 80402-9032**


RONALD G. HAAGENSTAD

September 8, 2000

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Assistant Commissioner of Patents
Washington, DC 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST AND
REVOCATION OF PRIOR POWERS**

As Assignee of record of the entire interest of the above identified application,

REVOCATION OF PRIOR POWERS OF ATTORNEY

All powers of attorney previously given are hereby revoked, and

NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected herewith:

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EMERY L. TRACY

REG. NO. 22,045
REG. NO 34,081

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RONALD G. HAAGENSTAD

September 8, 2000
Date